

## Student Support: applying in Wales

5 September 2011

### What is Student Support

Student Support is the name given to financial support provided by the Government to some students in the UK.

Student Support is not public funds as defined in paragraph 6 of the [Immigration Rules](#).

If you meet all the requirements of one of the categories described in this Information Sheet, it is likely that you are eligible for some form of Student Support from the [Department for Children, Education, Lifelong Learning and Skills](#) in Wales.

Student Support is only available if you are studying on a designated course, namely:

- undergraduate degree
- Higher National Diploma (HND)
- Higher National Certificate (HNC)
- Diploma of Higher Education
- teacher training course.

All of the above are higher education courses. If you are studying on a further education course, check with your institution whether any funding is available - for example, [the Assembly Learning Grant for Further Education](#) or [Education Maintenance Allowance](#) or the [Adult Learning Grant](#), if you are studying in England.

You may not be eligible if you have previously received Student Support (or a mandatory award) to study a higher education course. The amount of Student Support you will receive, if you are eligible, depends on your and your family's income.

Student Support is composed of:

- a loan for tuition fees
- a loan for living costs
- certain supplementary grants for specific categories, for example disabled students
- a non-repayable Assembly Learning Grant.

If you are eligible for a full Assembly Learning Grant, you might also be eligible for an additional bursary from your university. If you are entitled to Student Support, the maximum amount you have to pay for your fees (in 2010-11) is £3290 per year (£1820, or £2895 for medicine courses, if you are studying in Scotland). This applies where the course is full-time, or if it is a teacher training course (whether part-time or full-time). For full details of the Student Support package in Wales, see 'A guide to financial support for higher education students', which is on the website of [Student Finance Wales](#).

## Who is eligible for Student Support?

If you meet all the requirements of one or more of the following categories, you may be eligible for Student Support. This is only a brief summary of persons who are eligible for Student Support. If you are unsure about whether you are entitled to Student Support, or if you need further information, check your situation with an adviser at your institution, your Students' Union or our [Students' Advice Line](#).

### Category 1: Settled status and living in the UK and Islands

In order to be eligible for Student Support under this category, you must meet all of the following criteria:

1. you must be **settled** in the UK on the **first day of the first academic year** of the course AND
2. on the first day of the first academic year of the course you must be **ordinarily resident** in Wales AND
3. you must also have been ordinarily resident in the **UK and Islands** for the full three-year period before the first day of the first academic year of the course (for example, if your course begins in October 2011, you must have been ordinarily resident in the UK and Islands from 1 September 2008 to 31 August 2011) AND
4. the main purpose for your residence in the UK and Islands must not have been to receive **full-time education** during any part of the three-year period.

It is not necessary to have been settled in the UK for three years. For example, you may have been ordinarily resident for three years but have been given indefinite leave to remain shortly before the first day of the first academic year of the course.

If you are granted settled status after the first day of the first academic year of your course, or if you can show three years' ordinary residence in the UK and Islands only after that date, you will not become eligible for Student Support. This is because you must meet all requirements of this category on the first day of the first academic year of your course. If you think you are going to be able to meet all the requirements after the first day of the first academic year of a course you have not yet started, you might want to consider deferring your place until a later date.

### Students from the Channel Islands and the Isle of Man

If you are in receipt of an award from your Island authority, you are treated differently as there is an agreement between the Island authorities and UK higher education institutions. If you are self-financing, seek advice from your institution, your Students' Union or our [Students' Advice Line](#).

### Category 2: European Union nationals and family living in the European Economic Area and Switzerland

If you satisfy the conditions under this category, you are eligible only for a loan to pay your tuition fees. If you satisfy the conditions under [Category 3](#) or [Category 4](#) or [Category 5](#), you will be eligible for full Student Support which also includes loans for living costs and certain supplementary grants, so you should check the conditions for these other categories first.

To be eligible for a tuition fee loan under this category (Category 2):

1. you must be a national of one of the **European Union** (EU) member states on the **first day of the first academic year** of the course, and you must be either a UK national or a non-UK national who is in the UK as a self-sufficient person or as a student OR you must be the relevant **family member** of such a person AND
2. you must have been **ordinarily resident** in the **European Economic Area** (EEA) and/or Switzerland for three years before the first day of the first academic year of the course AND
3. the main purpose for your residence in the EEA and/or Switzerland must not have been to receive **full-time education** during any part of the three year period.

If you become an EU national because your country joins the EU, you are treated as if you were an EU national on the first day of the first academic year of the course, even if you started the course before your country joined the EU. The same applies if you are the family member of someone whose country of nationality joins the EU. For the purposes of the residence conditions, any country that joins the EU is considered always to have been part of the EEA.

Note that you do not have to be the family member of an EU national on the first day of the first academic year of the course, although the EU national in your family must be an EU national on that date (unless the EU national's country joins the EU). If you become, or a relevant family member becomes, an EU national after the course has started, seek advice from your institution, your Students' Union or our [Students' Advice Line](#) about whether you or your family member will become eligible for Student Support. See also [How to apply for Student Support](#).

If you do not qualify for Student Support only because the main purpose for your residence in the EEA or Switzerland was full-time education, and you have been ordinarily resident in the UK and Islands for three years before the first day of the first academic year of the course, you might be eligible for Student Support if you meet the conditions in [Category 3](#), [Category 4](#) or [Category 5](#) instead.

### **Category 3: Non-UK European Union nationals living in the UK and Islands**

To be eligible for Student Support under this category, you must be:

1. a [European Union](#) (EU) national, but not a UK national, on the [first day of the first academic year](#) of the course AND
2. [ordinarily resident](#) in Wales on the first day of the first academic year of your course AND
3. ordinarily resident in the [UK and Islands](#) for the three-year period before the first day of the first academic year of the course AND
4. if during any part of the three year period, the main purpose for your residence was to receive [full-time education](#), you must have been ordinarily resident in the UK or elsewhere in the [EEA](#) and/or Switzerland immediately prior to the 3-year period of ordinary residence in the UK and Islands. It does not matter if you were in the EEA and/or Switzerland mainly in order to receive full-time education during this earlier period.

If you become an EU national because your country joins the EU, you are treated as if you were an EU national on the first day of the first academic year of the course, even if you started the course before your country joined the EU.

A student who can be eligible under this category is, for example, a Latvian national who has spent four years in full-time education in the UK before starting a degree course. Although such a student's main reason for being in the UK might have been to receive full-time education, this student was ordinarily resident in the EEA (the student was in the UK) immediately before the three-year period of ordinary residence in the UK preceding the first day of the first academic year of the course.

If you become an EU national after the start of your course because your country joins the EU, you should seek advice from your institution, your Students' Union or our [Students' Advice Line](#) about whether you will become eligible for Student Support. See also [How to apply for Student Support](#).

### **Category 4: European Union nationals and family with the right of permanent residence in the UK**

You are eligible for Student Support under this category if:

1. you have [the right of permanent residence](#) in the UK AND
2. you are [ordinarily resident](#) in Wales on the [first day of the first academic year](#) of your course AND
3. you were ordinarily resident in the [UK and Islands](#) for three years before the first day of the first academic year of the course AND

4. if your three-year residence in the UK and Islands was at any time mainly for the purpose of receiving **full-time education**, you must have been ordinarily resident in the UK or elsewhere in the **EEA** and/or Switzerland immediately prior to the three-year period of ordinary residence in the UK and Islands. It does not matter if you were in the EEA and/or Switzerland mainly in order to receive full-time education during this earlier period.

If you acquire the right of permanent residence after the start of your course, you should seek advice from your institution, your Students' Union or our **Students' Advice Line** about whether you will become eligible for Student Support. See also **How to apply for Student Support**.

### **Category 5: Non-UK European Economic Area and Swiss workers and family**

You are eligible for Student Support if you meet the following criteria:

1. you must be an **EEA** national, but not a UK national, or a Swiss national, and resident in the UK as a **worker** OR you must be the spouse or civil partner or child or other **relevant family member** of such a worker AND
2. you must be **ordinarily resident** in Wales on the **first day of the first academic year of the course** unless you are an EEA or Swiss **frontier worker** or relevant family member of a frontier worker AND
3. you must have been ordinarily resident in the UK or elsewhere in the **EEA** and/or Switzerland for three years before the first day of the first academic year of the course

If you are the child of an EEA worker who is no longer working or living in the UK, you can still be eligible for Student Support if you came to the UK to accompany your EEA worker parent.

If you or your relevant family member becomes an EEA or Swiss worker part-way through your course, seek advice from your institution, your Students' Union or our **Students' Advice Line** about whether you will become eligible for Student Support. See also **How to apply for Student Support**.

### **Category 6: Settled status and exercised a right of residence in the European Economic Area and Switzerland**

To qualify for Student Support under this category, you must:

1. be **settled** in the UK AND
2. be **ordinarily resident** in the UK on the day on which the first term of the first academic year of your course actually begins AND
3. have been ordinarily resident in Wales and settled in the UK immediately before leaving the UK and exercising a right of residence (this means that, before leaving the UK, you must be either a UK national, or the **family member** of a UK national and you have settled status, or a person with the **right of permanent residence**, and you or your family member has been a worker or self-employed person, or a student or self-sufficient person somewhere in the **European Economic Area** or Switzerland, other than the UK) AND
4. you have been ordinarily resident in the European Economic Area or Switzerland for the three-year period before the **first day of the first academic year** of your course AND
5. if, during that three-year period, you were ordinarily resident in the European Economic Area or Switzerland mainly in order to receive **full-time education**, you must have been ordinarily resident in the European Economic Area and/or Switzerland immediately before that three-year period (this does include time spent there in full-time education).

This is the category that entitles you to full Student Support if you are a British citizen or the family member of a British citizen (as long as you have settled status yourself before you leave the UK with your British family member) if you have been living outside the UK but elsewhere in the EEA and/or Switzerland.

## Category 7: Child of a Swiss national living in the European Economic Area and Switzerland

You are eligible for Student Support if you meet all the following criteria:

1. you must be the child of a Swiss national, and note that there is no requirement that your Swiss parent is, or has been, economically active in the UK AND
2. you must be **ordinarily resident** in Wales on the **first day of the first academic year** of your course AND
3. you must have been ordinarily resident in the UK or elsewhere in the **European Economic Area** (EEA) and/or Switzerland for the three-year period before the first day of the first academic year of the course AND
4. if the main purpose for your residence in the EEA and/or Switzerland was wholly or mainly for the purpose of receiving **full-time education**, you must have been ordinarily resident in the EEA and/or Switzerland immediately before that three-year period. It does not matter if your main reason for being there before that three-year period was in order to receive full-time education.

A child can be an adopted child or any child for whom the Swiss national parent has parental responsibility or care.

If you become the child of a Swiss national after the start of your course, for example, if you have a non-Swiss parent who marries or enters into a civil partnership with a Swiss national or if your parent is granted Swiss nationality, you should seek advice from your institution, your Students' Union or our **Students' Advice Line** about whether you will become eligible for Student Support. See also **How to apply for Student Support**.

## Category 8: Child of Turkish worker living in the EEA, Switzerland, Turkey

You are eligible for Student Support if you meet all the following criteria:

1. you must be the child of a Turkish national who is **ordinarily resident** in the UK and who is, or has been lawfully employed in the UK AND
2. you must be ordinarily resident in Wales on the **first day of the first academic year** of your course AND
3. you must have been ordinarily resident in the UK or elsewhere in the **European Economic Area** (EEA) and/or Switzerland and/or Turkey for the three-year period before the first day of the first academic year of the course.

A child can be an adopted child or any child for whom the Turkish worker parent has parental responsibility or care.

If you become the child of a Turkish worker after the start of your course, for example, if you have a parent who marries or enters into a civil partnership with a Turkish worker, you should seek advice from your institution, your Students' Union or our **Students' Advice Line** about whether you will become eligible for Student Support. See also **How to apply for Student Support**.

## Category 9: Refugees and family

To be entitled to Student Support under this category, you must either have been recognised as a **refugee** by the UK Government and have remained **ordinarily resident** in the **UK and Islands** since then, or you must be the spouse or civil partner or child of such a person. You must also be ordinarily resident in Wales on the **first day of the first academic year** of your course. If your permission to be in the UK has run out, you are still eligible for Student Support if you can show that you applied to extend or change your immigration status before your permission to be here expired, and you are still waiting for a decision on that application, or that you are in the process of appealing against a Home Office decision to refuse you further immigration permission.

You must have been the spouse or civil partner of the refugee on the date on which your spouse or civil partner made an application for asylum. If you are applying for Student Support as the child of a refugee, you must be able to show that on the date on which your parent, or your parent's spouse or civil partner, applied for asylum you were:

- under 18 years of age AND
- the refugee was your parent, or your parent was the refugee's spouse or civil partner on the date of the asylum application.

A child can be an adopted child or any child for whom the refugee parent (or the refugee's spouse or civil partner) has parental responsibility or care.

See [Definitions of terms](#) for when someone [when someone with Refugee Status becomes a British Citizen](#).

If you are granted refugee status, or if your spouse or civil partner or parent is granted refugee status, after the start of your course, you should seek advice from your institution, your Students' Union or our [Students' Advice Line](#) about whether you will become eligible for Student Support. See also [How to apply for Student Support](#).

### **Category 10: Those not granted refugee status but allowed to remain in the UK, and family**

If you apply for asylum and the Home Office decides that you do not qualify for refugee status, you may still be allowed to stay in the UK. In such circumstances, the Home Office normally grants Humanitarian Protection (HP), Discretionary Leave (DL) or, in some cases, Indefinite Leave to Remain. Until 1 April 2003, Exceptional Leave to Enter or Remain (ELE/R) was granted in such circumstances.

Alternatively, you may wish to stay in the UK but choose not to apply for asylum; applying, instead, for discretionary leave to remain.

To be eligible under this category, on the 'first day of an academic year of the course', you must be a ['person with leave to enter or remain', as defined in the Wales fees regulations](#).

A **'Person with leave to enter or remain'** means a person whom:

- the Home Office has told does not qualify for recognition as a refugee but nevertheless should be allowed to stay in the UK and therefore has been granted humanitarian protection or discretionary leave; or
- having made an application for discretionary leave, has been told by the Home Office that he should be allowed to stay in the UK and therefore has been granted such leave.

AND

- whose period of leave is still current, or has been renewed and the new leave is still current, or who is waiting for the outcome of an in time application for renewal, or is waiting for an appeal concerning their leave; and
- who has been ordinarily resident in the UK and Islands since having been granted leave.

You are also entitled to Student Support if you are the spouse, civil partner or child of such a person.

You must be [ordinarily resident](#) in Wales on the [first day of the first academic year](#) of the course, and you must have been ordinarily resident in the [UK and Islands](#) for three years before the first day of the first academic year of your course.

You must have been the spouse or civil partner of the person who applies for asylum, or discretionary

leave, on the date when the application for asylum, or discretionary leave, was made. If you are applying for Student Support as the child of a person in this category, you must be able to show that on the date on which your parent, or your parent's spouse or civil partner, applied for asylum or discretionary leave you were:

- under 18 years of age AND
- the person granted permission to stay was your parent, or your parent was that person's spouse or civil partner on the date of the asylum, or discretionary leave, application.

A child can be an adopted child or any child for whom the parent who applied for asylum, or discretionary leave, and was allowed to remain in the UK (or that person's spouse or civil partner) has parental responsibility or care.

If you are granted permission to stay in the UK, or if your spouse or civil partner or parent is granted permission to stay in the UK, after the start of the course, seek advice from your institution, your Students' Union or our [Students' Advice Line](#) about whether you will become eligible for Student Support. See also [How to apply for Student Support](#).

## How to apply for Student Support

If you think you meet all of the requirements of one of the categories described in this Information Sheet, and you have not yet started your studies or you have not moved for your studies, you should apply to your [local education authority](#).

If you meet the requirements of [Category 2](#) in this Information Sheet, and of no other categories, you are entitled only to tuition fee support, and you should apply direct to the [EU Customer Services Team](#) of the Student Loans Company.

Your local education authority or the EU Customer Services Team of the Student Loans Company will send you an application form and you must apply within nine months (six months for part-time courses) of the start of the academic year. You might be able to [apply online](#).

If you do not meet all of the requirements of a category on the [first day of the first academic year](#) of your course, you can still apply for a tuition fee loan if one of the following events occurs within the first three months of an academic year of your course, and you meet all the other requirements of the relevant category:

- your course becomes a [designated course](#)
- you or your spouse or civil partner or parent is recognised as a refugee or is refused refugee status but given permission to stay in the UK
- the country of which you are, or a relevant [family member](#) is, a national joins the European Union
- you become a relevant [family member](#) of an [EU](#) national; for example, you marry or enter into a civil partnership with an EU national
- you acquire the [right of permanent residence](#)
- you become a European Economic Area or Swiss migrant [worker](#) or the relevant [family member](#) of such a worker
- you become the child of a Swiss national.

You can apply for a loan or grant to help with your living costs if one of these events occurs at any point in the academic year. Your deadline for applying is nine months from the date on which the event occurs.

## What can you do if you think you have been incorrectly refused Student Support?

You should ask for the reasons for the refusal in writing. You should then write to the person who informed you of the refusal and explain why you think the decision is wrong. If you are still not satisfied, you can appeal against the decision but first you should speak to an adviser at your institution, your Students' Union or our [Students' Advice Line](#).

### **Additional sources of support**

If you are in financial hardship and you are eligible for Student Support, you might be able to apply for additional help through your institution's Financial Contingency Fund, if you are studying in Wales. Similar funds are available from institutions in England (Access to Learning Fund), Scotland (Discretionary Funds) and Northern Ireland (Support Fund). The Student Support package also includes extra grants for students with particular needs, for example, disabled students and students who have dependants. Seek advice from your institution or your Students' Union. Check with your Local Education Authority in case additional funding is available for your particular course.

### **Courses funded by the National Health Service (NHS)**

If you are considering applying for an NHS-funded course (for example, Nursing or Midwifery), please note that admission to the programme may depend very much on whether you will be granted an NHS Bursary. The requirements are similar to those described in the categories in this Information Sheet, but please check your eligibility carefully before you apply for an Access to Nursing course or an NHS-funded degree course.

There are only very limited opportunities for self-funded applicants to study Nursing and Midwifery in UK Higher Education. Apart from these, it is very unlikely that any institution will be able to consider applicants who are not eligible for an NHS bursary. If you do wish to follow such a course as a full fee-paying student, check with the institution in advance if they accept fee-paying students onto the course.

Unlike Student Support arrangements for most other courses, you apply for an NHS bursary to the country in the UK where you are studying, even if it is different from the country in the UK where you normally live. For information about applying for an NHS bursary for a course in Wales, see the website of the [NHS Wales Student Awards Unit](#). You can find information about applying for an NHS bursary in England on the website of the [NHS Business Services Authority](#). If you are studying in Scotland, information is available from the [Student Awards Agency for Scotland](#) and, if you are studying in Northern Ireland, you should apply through the [North Eastern Education and Library Board](#). Nursing and midwifery admissions information is available from the [UCAS](#) website.

### **Definitions of terms**

#### **European Economic Area (EEA)**

The European Economic Area is a larger area than the European Union (EU). It is made up of all the countries in the [EU](#) plus Iceland, Liechtenstein and Norway.

For categories where the residence area is the EEA and Switzerland, the residence area is made up of all 30 countries in the EEA including the whole of the island of Cyprus (that is, including northern Cyprus), and Switzerland.

#### **European Union (EU)**

You are an EU national if you are a national or citizen of Austria, Belgium, Bulgaria, Republic of Cyprus (you must have evidence, eg a passport or other travel document, that shows you are recognised as a Cypriot citizen by the Government of the Republic of Cyprus), Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden or the UK.

## **Family members**

### **European Union (EU) nationals under [Category 2](#)**

Family members of an EU national who can be entitled to a loan to pay tuition fees under this category are:

- spouse or civil partner
- direct descendants of the EU national, and of the EU national's spouse or civil partner, for example children or grandchildren; a direct descendant must also be under 21 years old or (if 21 or over) dependent on the EU national or dependent on the EU national's spouse or civil partner
- if the EU national is self-sufficient and not a UK national, the direct ascendants of the EU national, or of the EU national's spouse or civil partner, for example parents or grandparents; a direct ascendant must also be dependent on the EU national or dependent on the EU national's spouse or civil partner.

### **European Economic Area (EEA) workers under [Category 5](#)**

**Note** The Regulations for this category were amended in February 2011 so that there is a difference in the definition of family members depending on when you are applying for support.

Family members of an EEA worker who can be entitled to Student Support under this category are:

#### **Applications made for support for the 2010-11 academic year**

- spouse or civil partner
- child, which is not defined in terms of either age or dependency and a child can be an adopted child or any child for whom the EEA worker or the civil partner or spouse of the worker has parental responsibility or care
- direct ascendants of the EEA worker or of the spouse or civil partner or the EEA worker, for example parents and grandparents, who must be dependent on the EEA worker or dependent on the spouse or civil partner of the EEA worker.

#### **Applications made for support for the 2011-12 academic year onwards**

- spouse or civil partner
- direct descendants of the EEA worker and of the EEA worker's spouse or civil partner, for example children or grandchildren; a direct descendant must also be under 21 years old or (if 21 or over) dependent on the EEA worker or dependent on the EEA worker's spouse or civil partner
- direct ascendants of the EEA worker or of the spouse or civil partner or the EEA worker, for example parents and grandparents, who must be dependent on the EEA worker or dependent on the spouse or civil partner of the EEA worker.

### **Swiss workers under [Category 5](#)**

Family members of a Swiss worker who can be entitled to Student Support under this category are:

- spouse or civil partner
- child, which is not defined in terms of either age or dependency and a child can be an adopted child or any child for whom the Swiss worker or the civil partner or spouse of the worker has parental responsibility or care

### **Settled people who exercise a right of residence, under [Category 6](#)**

Settled family members of a UK national who exercises a right of residence in the EEA and/or Switzerland who can be entitled to Student Support are:

- spouse or civil partner
- direct descendants of the UK national, and of the UK national's spouse or civil partner, for example children or grandchildren; a direct descendant must also be under 21 years old or (if 21 or over) dependent on the UK national or dependent on the UK national's spouse or civil partner. If the UK national exercised a right of residence as a student, only dependent children count as family members
- direct ascendants of the UK national or of the UK national's spouse or civil partner, for example parents and grandparents, who must be dependent on the UK national or dependent on the UK national's spouse or civil partner. This does not apply to UK nationals who have exercised a right of residence as a student.

### **First day of the first academic year of the course**

If your academic year starts between 1 August and 31 December inclusive, the first day of the first academic year is 1 September.

If your academic year starts between 1 January and before 31 March inclusive, the first day of the first academic year is 1 January.

If your academic year starts between 1 April and before 30 June inclusive, the first day of the first academic year is 1 April.

If your academic year starts between 1 July and 31 July inclusive, the first day of the first academic year is 1 July.

### **Full-time education**

Where a category includes a condition that the main purpose of your residence (in the **UK and Islands**, or in the **European Economic Area** and Switzerland) must not have been to receive full-time education, a useful question to ask is: if you had not been in full-time education, where would you have been ordinarily resident? . If the answer is outside the relevant residence area, this would indicate that the main purpose for your residence was full-time education. If the answer is that you would have been resident in the relevant residence area even if you had not been in full-time education, this would indicate that full-time education was not the main purpose for your residence in the relevant area.

### **Ordinary residence**

You are ordinarily resident in the relevant residence area (which is either the **UK and Islands** or the **European Economic Area** and Switzerland, depending on the category and its qualifying conditions) if you have habitually, normally and lawfully resided in that area from choice. Temporary absences from the residence area should be ignored and therefore would not stop you being ordinarily resident.

If you can demonstrate that you have not been ordinarily resident in the relevant residence area only because you, or your relevant family member, were temporarily working outside the relevant residence area, you will be treated as though you have been ordinarily resident there.

### **Right of permanent residence**

Under European Community law, an **EU** national who remains lawfully resident in the UK for a continuous period of five years acquires the right of permanent residence. The same applies to a family member who is in the UK with that EU national. You might have a document from the Home Office that confirms your right of permanent residence, but this is not essential if you can prove in some other way that you have the right of permanent residence.

### **Refugee Status**

Anyone granted Refugee Status by the UK government should, in UKCISA's understanding, still be

considered to come within the definition of 'refugee' for the purposes of the relevant regulations even if they have now become a British citizen. If a decision maker considers otherwise, please ask them to check the case, heard in the Supreme Court, of 'ZN (Afghanistan) & Others v Entry Clearance Officer (Karachi) [2010] UKSC 21', particularly paragraphs 36 and 37.

This decision concerned an immigration decision rather than eligibility for 'home' fees or Student Support. The regulations for assessing fee status and Student Support eligibility define "refugee" as meaning:

"a person who is recognised by Her Majesty's government as a refugee within the meaning of the United Nations Convention relating to the Status of Refugees [...]"

In the Supreme Court decision at paragraph 37 Lord Clarke said: "The fact that British citizenship has been granted [...] does not change the fact that [...] a person [was or has been] granted asylum".

Therefore, it would seem unreasonable for a decision maker to conclude that the granting of British citizenship to someone with Refugee Status would mean that the UK government no longer considered that person to have a well-founded fear of persecution in their former home country.

## Settled

Settled means being **ordinarily resident** in the United Kingdom (ie England, Wales, Scotland and Northern Ireland) without any immigration restriction on the length of your stay in the UK. The Student Support regulations refer to immigration law for the definition of settled. To be settled you must have the Right of Abode or Indefinite Leave to Enter or Remain in the UK or be a national of the Republic of Ireland, or have the **right of permanent residence** in the UK under European Community law. If your passport describes you as a British citizen, then you have the Right of Abode. Certain categories exempt from time limits on their stay in the UK, however, do not come within the definition of settled. For example, diplomats and members of their households do not have specified time limits on their permission to stay in the UK but they are not settled under the relevant immigration law.

If you are settled through having acquired the **right of permanent residence** under European Community law, you are not entitled to Student Support under **Category 1** but you might qualify under **Category 2, Category 3, Category 4** or **Category 5**.

## UK and Islands

The area of residence described as UK and Islands consists of:

- England
- Wales
- Scotland
- Northern Ireland
- Channel Islands
- Isle of Man

## Worker

Worker includes a European Economic Area (EEA) or Swiss national who is:

- employed
- self-employed
- a frontier worker who is employed or self-employed. A frontier worker is an **EEA** or Swiss national who

works in the UK but who resides in Switzerland or the territory of an EEA State other than the United Kingdom and returns to their residence in Switzerland or an EEA state, at least once a week.

What kind of work?

- The work must be in the UK
- The work can be full-time or part-time
- If you give up work to start a course, you should still be treated as a migrant worker if your course of study is related to your job or area of work
- If you have become involuntarily unemployed (for example, if your post was made redundant, or if your contract ended and was not renewed), you do not have to show that your course of study is related to your previous job. If you lost your job through misconduct, you would not be considered involuntarily unemployed
- It can be work that you are doing while you are on the course, unless it is ancillary to the course. Ancillary means the work is part of the course or work you were offered only because you have been accepted on a particular course.

## Useful contacts

### Direct Gov

The Directgov website has UK Government information about financial help that is available to students in further and higher education, including application forms and contact details for Local Education Authorities, the EU Customer Services Team and the Student Loans Company, at:

[www.direct.gov.uk/en/EducationAndLearning/index.htm](http://www.direct.gov.uk/en/EducationAndLearning/index.htm)

### Department for Children, Education, Lifelong Learning and Skills

This is the government department that produces the Student Support regulations for Wales. You can find guidance called 'Financial Support for Higher Education Students', application forms and more information about Student Support in Wales, including contact details for local education authorities, on the website of Student Finance Wales at: [www.studentfinancewales.co.uk](http://www.studentfinancewales.co.uk). You can obtain copies of guides for students from Student Finance Wales at

Tel: 0800 731 9133.

If you have other queries, you can contact Student Finance Wales at:

Tel: 0845 602 8845.

You can contact the EU Customer Services Team of the Student Loans Company at:

EU Customer Services Team, Mowden Hall, Staindrop Road, Darlington DL3 9BG

Tel: (+44) (0) 141 243 3570

E-mail: [EU\\_Team@slc.co.uk](mailto:EU_Team@slc.co.uk)

### UK Council for International Student Affairs

We can offer written and telephone advice for students. Our contact details are on our website at: [www.ukcisa.org.uk](http://www.ukcisa.org.uk). If you have read this Information Sheet and other resources mentioned in it, but you would still like to talk to us about your eligibility for Student Support, you can call our Advice Line on (+44) (0) 20 7107 9922 Mon to Fri 1300 to 1600 hours (UK time) or you can write to us at: UK Council for International Student Affairs, 9-17 St Albans Place, London N1 0NX, UK.

### Telephone numbers

If you are calling from outside the UK, do not dial the (0) in the telephone numbers above. For example, if you want to call UKCISA from outside the UK, dial +44 20 7107 9922. If you are in the UK, do not dial

+44, but do start the number with 0. For example, if you call UKCISA from within the UK, dial 020 7107 9922.

Textphone numbers are only for those who use a textphone (minicom) because of difficulties with speech or hearing.

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